

**U.S. Department of the Interior
Bureau of Land Management**

**Environmental Assessment
DOI-BLM-UT-G010-2015-0039-EA
RIGHT-OF-WAY UTU-90998
Drillex LLC existing 2 track road**

PREPARING OFFICE

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Environmental Assessment
DOI-BLM-UT-G010–2015–0039-EA
RIGHT-OF-WAY UTU-90998
Drillex LLC existing 2 track road

Prepared by
U.S. Department of the Interior
Bureau of Land Management

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Finding of No Significant Impact

DOI-BLM-UT-G010–2015-0039-EA

Drillex LLC existing 2 track road

Based on the analysis of potential environmental impacts contained in the attached environmental assessment DOI-BLM-UT-G010–2015-0039, I have determined that the proposed action as described in the proposed action alternative of the environmental assessment will not have any significant impacts on the environment. An environmental impact statement is not required.

Signatures:

Approved by:

/s/ Jerry Kenczka

1/08/2015

Jerry Kenczka
Assistant Field Manager,
Lands and Minerals

Date

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DECISION RECORD

Decision

It is my decision to approve and authorize Drillex LLC application for Right-of-Way UTU-90998, proposal to utilize an existing two track road to access their state well AV West 2–22 and to proceed as set out in the Proposed Action of the Environmental Assessment (DOI-BLM-UT-G010-2015–0039-EA) subject to the applicant committed measures, stipulations, compliance and monitoring. This alternative is hereafter called the Selected Alternative. This decision applies to BLM-administered lands only.

I have determined that authorizing this selected alternative is in the public interest, and will minimize impacts so that no undue disturbance will occur.

The existing two track is located on Public Lands within the following legal description: SLM, UT T. 5 S., R. 22 E., Section 22, NWSE.

The approximate length of the existing two track is 1,003 feet in length and 10 feet in width, encompassing approximately 0.02 acres more or less.

Compliance, Monitoring, Stipulations

Compliance and monitoring checks will be conducted in accordance with BLM Regulations.

Plan Conformance and Consistency

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plan and the associated decision(s):

The selected alternative has been reviewed, and found to be in conformance with the Vernal Field Office RMP/ROD (October 31, 2008). The RMP/ROD decision allows for processing applications, permits, operating plans, mineral exchanges, leases on public lands in accordance with policy and guidance and allows for management of public lands to support goals and objectives of other resources programs, respond to public requests for land use authorizations, and acquire administrative and public access where necessary (RMP/ROD p. 86).

It has been determined that the proposed action and alternative(s) would not conflict with other decisions throughout the plan.

The selected alternative is also consistent with the Uintah County General Use Plan 2011, as amended.

Compliance with NEPA:

This EA was prepared by the BLM in accordance with the National Environmental Policy Act (NEPA) of 1969 and in compliance with all applicable regulations and laws passed subsequently, including the President's Council on Environmental Quality regulations, and the U.S. Department of Interior requirements and guidelines listed in the BLM Manual Handbook H-1790-1. This EA assesses the environmental effects of the Proposed Action and the No Action Alternative.

Rationale / Authorities / Public Involvement

The decision to authorize the use of the existing two track road, has been made in consideration of the environmental impacts of the proposed action. This decision has been made after considering impacts to resources within the Vernal Field Office while accommodating Drillex LLC desire to utilize the existing two track road for access to state well AV West 2–22.

Identification of issue(s) for this assessment was accomplished by considering any resources that could be affected by implementation of one of the alternatives.

Issues identified by BLM Specialists are documented in Appendix A Interdisciplinary Team Checklist.

Alternatives Considered

Alternative A Proposed Action

Drillex LLC proposes to use the existing two track, as is, to access their state well AV West 2–22. There will be not upgrading of the road.

Alternative B No Action

Under the No Action alternative, BLM would not approve the ROW grant. Drillex LLC would not be able to access their state well located on state lands. The no action alternative effectively constitutes denial of the Proposed Action. This alternative was not selected because it would not respond to the applicant's need to utilize an existing road.

The authority for this decision is pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

The proposed action was posted to the public BLM E-Planning website with its assigned NEPA number on November 24, 2014. To date, no questions or comments have been received. A public comment period was not offered due to the proposed action being similar in nature to other projects in the immediate area.

Appeal or Protest Opportunities:

Protest/Appeal Language: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the

Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied, (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Authorizing Official:

/s/ Jerry Kenczka

Jerry Kenczka

Assistant Field Manager, Lands and Minerals

1/08/2015

Date

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Chapter 1. Environmental Assessment

Introduction

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This Environmental Assessment has been prepared to analyze the potential impacts of Drillex LLC use of an existing two track road.

Enter Proposed Project description here

The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. An EA assists the BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in regulation 40 CFR 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI). A FONSI is a document that briefly presents the reasons why implementation of the selected alternative would not result in “significant” environmental impacts (effects) beyond those already addressed in the Vernal Field Office Resource Management Plan (VFORMP), October 2008. If the decision maker determines that this project has “significant” impacts following the analysis in the EA, then an EIS would be prepared for the project. If not, a Decision Record may be signed for the EA approving the alternative selected.

1.1. Identifying Information:

1.1.1. Title, EA number, and type of project:

Drillex LLC existing 2 track road

1.1.2. Location of Proposed Action:

Salt Lake Meridian

T. 5 S., R. 22 E., Section 22, NWSE.

For a map of the project area refer to Appendix B.

1.1.3. Name and Location of Preparing Office:

Lead Office - Vernal Field Office

170 South 500 East

Vernal Utah 84078

1.1.4. Identify the lease, serial, or case file number:

Case File number UTU-90998

1.1.5. Applicant Name:

Drillex LLC

1.2. Purpose and Need for Action:

The BLM's need is to consider approval of the application for Drillex LLC request to use an existing two track road to access their state well AV West 2–22, in accordance with Title V of the Federal Land Policy and Management Act of October 21, 1976, as amended through September 1999, (90 Stat. 2776; 43 U.S.C. 1761). BLM's purpose is to avoid or reduce impacts on sensitive resource values associated with the project area and prevent unnecessary or undue degradation of the public lands.

1.3. Scoping, Public Involvement and Issues:

During preparation of the EA, public involvement consisted of posting the proposal on the eplanning NEPA website. *No public comment or inquiries were received.* The proposed action was reviewed by an interdisciplinary team of BLM resource specialists. For a list of all resources considered, refer to Appendix A.

Chapter 2. Proposed Action and Alternatives

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2.1. Description of the Proposed Action:

This EA focuses on the Proposed Action, as well as, the No Action Alternative. No unresolved conflicts were identified that required the consideration of another alternative.

Drillix LLC has proposed to use an existing two track road, as is, to access their state well AV West 2–22. No upgrading of the road is required or proposed. The proposed access road is approximately 1,003 feet in length and 10 feet in width, encompassing 0.02 acres, more or less.

2.2. No Action Alternative

Under this action, BLM would not approve the use of the existing road and Drillix LLC would not be able to access their state well. Drillix would have to construct a new road across private lands for access to the state well.

2.3. Alternatives Considered but not Analyzed in Detail

There were no other alternatives identified aside from the Proposed Action and No Action alternatives that would meet the purpose and need of this project.

2.4. Conformance With BLM Land Use Plan

The proposed action would be in conformance with the Vernal Field Office RMP/ROD (October 2008). The RMP/ROD decision allows ROWs on public lands in accordance with the Realty Decisions. It has been determined that the proposed action and alternative(s) would not conflict with any decisions throughout the plan. UT - Vernal RMP

2.5. Relationships To Statutes, Regulations, and Other Plans

This EA was prepared by the BLM in accordance with NEPA of 1969 and in compliance with all applicable regulations and laws passed subsequently, including the President's Council on Environmental Quality regulations, and U.S. Department of Interior requirements and guidelines, as listed in the BLM NEPA Handbook H-1790-1.

The proposed project is consistent with the Uintah County General Plan 2011-as amended. The Uintah County General Plan contains specific policy statements addressing public land, multiple-use, resource use and development, access, and wildlife management. In general, the plan indicates support for development proposals such as the proposed action through the plan's emphasis on multiple-use public land management practices, responsible use and optimum utilization of public lands resources. The County, through the Plan, supports the development of natural resources as they become available, as new technology allows.

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Chapter 3. Affected Environment:

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The Interdisciplinary Team Checklist provides a brief description of the affected environment. *For additional information refer to 43 CFR 46.125 and BLM Handbook H-1790-1 sections 6.7.1, 6.7.2, and 8.3.5.* The affected environment and environmental consequences of the alternatives were considered and analyzed by an interdisciplinary team as documented in Appendix A. The analysis indicates that resources of concern, including elements of the human environment, are either not present in the project area, or would not be impacted to a degree that requires detailed analysis. The analysis and rationale for this conclusion is provided in Appendix A. The below information describes the current state of the potentially affected resources in the project area.

There were no impacts identified with this proposal.

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Chapter 4. Environmental Effects:

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This chapter describes the direct and indirect impacts that would be expected to occur upon the implementation of the considered alternative. It also discloses the expected cumulative impacts, which are those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions.

There are no direct or indirect cumulative impacts associated with this proposal.

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Chapter 5. Tribes, Individuals, Organizations, or Agencies Consulted:

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Table 5.1. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Utah State Historic Preservation Office (SHPO)	Consultation for undertakings, as required by the National Historic Preservation Act (NHPA) (16 USC 470) 36 CFR 800.4(d)(1)	The Utah State Historic Preservation Office concurred with the determination of No Historic Properties Affected. Letter dated December 9, 2014, received in our office on December 11, 2014.
No tribal consultations were done.		

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Chapter 6. List of Preparers

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Table 6.1. List of Preparers

Name	Title	Responsible for the Following Section(s) of this Document
See IDT checklist		

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Chapter 7. References

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REFERENCES

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Chapter 8. Acronyms

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AO Authorized Officer

BLM Bureau of Land Management

DR Decision Record

EA Environmental Assessment

EIS Environmental Impact Statement

ENBB Environmental Notification Bulletin Board

FLPMA Federal Land Policy and Management Act of 1976

FONSI Finding of No Significant Impact

ID Interdisciplinary

NEPA National Environmental Policy Act

RFA Reasonably Foreseeable Action

RMP Resource Management Plan

ROD Record of Decision

ROW Right-of-Way

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Appendix A. Interdisciplinary Checklist

Project Title Drillex LLC proposed use of an existing two track road:

NEPA Log Number: DOI—BLM—UT—G010—2015—0039—EA

File/Serial Number: UTU-90998

Project Leader: Cindy Bowen

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NI	Air Quality & Greenhouse Gas Emissions	Emissions will occur from vehicles in the project area, but those impacts will be short term & transitory so they will not be detectable by monitors or models. No standards have been set by EPA or other regulatory agencies for greenhouse gas emissions and climate change is still in its earliest stages of formulation. Global scientific models are inconsistent, and regional or local scientific models are lacking so that it is not technically feasible to determine the net impacts to climate due to greenhouse gas emissions. It is anticipated that greenhouse gas emissions associated with this action and its alternative(s) would be negligible.	Cindy Bowen	11-24-2014
NP	BLM Natural Areas	The proposed project does not fall within the boundaries of a BLM Natural Area as per the Green River District, Vernal Field Office RMP/ROD (2008) and the VFO GIS layers database.	Cindy Bowen	11-24-2014

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
NP	Cultural: Archaeological Resources	Pursuant to 36 CFR 800.16(y) this project is considered to be an undertaking. The area of potential effect (APE) is defined as the polygon presented in the right-of-way application. Montgomery Archaeological Consultants conducted a Class III 100% pedestrian inventory over the project area. A consultation letter was sent to the State Historic Preservation Officer (SHPO) on December 4, 2014 recommending a "no historic properties effected" determination. We received their concurrence to our determination on December 11, 2014.	Erin Goslin	12-22-20 14
NP	Cultural: Native American Religious Concerns	No Traditional Cultural Properties (TCPs) are identified within the APE. The proposed project will not hinder access to or use of Native American religious sites.	Erin Goslin	12-18-20 14
NP	Designated Areas: Areas of Critical Environmental Concern	The proposed project does not fall within the boundaries of an ACEC per the Green River District, Vernal Field Office RMP/ROD (2008) and the GIS data base layers.	Cindy Bowen	11-24-20 14
NP	Designated Areas: Wild and Scenic Rivers	The proposed project is not in a Wild and Scenic Rivers area per the Green River District, Vernal Field Office RMP/ROD (2008) and GIS Database layers.	Cindy Bowen	1-24-201 4
NP	Designated Areas: Wilderness Study Areas	No Wilderness areas have been designated by the U.S. Congress on BLM lands in the VFO. The proposed project is not in a Wilderness/WSA area per the Green River District, Vernal Field Office RMP/ROD (2008) and GIS Database layers.	Cindy Bowen	11-24-20 14
NI	Environmental Justice	No minority or economically disadvantaged communities or populations would be disproportionately adversely affected by the proposed action or alternatives because there are no such communities or populations located in the project area.	Cindy Bowen	1-24-201 4
NI	Farmlands (prime/unique)	All prime farmlands in Uintah County are irrigated. All unique farmlands in Uintah County are orchards. No irrigated lands or orchards are located in the project area; therefore this resource will not be carried forward for analysis.	Cindy Bowen	11-24-20 14
NI	Fuels/Fire Management	No Fuels/fire management projects or needs present per VFO GIS data base.	Cindy Bowen	11-24-20 14

Determination	Resource/Issue	Rationale for Determination	Signature	Date
NI	Geology/Minerals/ Energy Production	After reviewing GIS layers (Gilsonite Veins, KGLA_2012, Oil and Gas, Mineral Material, and Geologic units) and LR2000, the proposed action will not adversely impact geology, mineral resources, or energy production.	Richard Goshen	11-24-2014
IP/NW: NI S&V: NI	Invasive Plants/ Noxious Weeds, Soils & Vegetation	<p>IP/NW: No new surface disturbance is proposed; therefore, the Proposed Action should not contribute to the introduction or spread of noxious weeds/invasive weeds in the Project Area. Activities related to the use of the access road in the Proposed Action may contribute to the introduction or spread of weed infestations; however, the applicant would be responsible for control and treatment of invasive plants/noxious weeds through implementation of a site-specific weed control plan.</p> <p>S&V: No new surface disturbance is proposed; therefore, no direct or indirect impacts to soils and vegetation are anticipated as a result of the Proposed Action. Reclamation activities may occur in the Project Area; however, the scope of reclamation activities and degree of reclamation success is not known at this time and cannot be analyzed as part of the Proposed Action.</p>	Christine Cimiluca	12/1/2014
NI	Lands/Access	The proposed use of an existing road is located within the VFORMP/ROD area, which allows for oil and gas development with associated roads, pipeline and power line rights-of-way. Road is an existing 2 track and will be used as is, no upgrading of the road will occur. A Uintah County Class D road per the Uintah County Transportation map will be used to access the existing 2 track. No ROWs or public water reserves are present within the proposed area per the MTPs.	Cindy Bowen	11-24-2014
NP	Lands with Wilderness Characteristics (LWC)	The proposed project is not located within an identified Land(s) with Wilderness Characteristics' (LWC) area, as per the Green River District, Vernal Field Office GIS Database layers.	Cindy Bowen	11-24-2014
NI	Livestock Grazing & Rangeland Health Standards	The proposed project will not have any affect on the livestock grazing nor rangeland health	Craig Newman	12/01/ 2014
NP	Paleontology	No new disturbance will be required for this action. No fossil localities are present on the GIS layer.	Elizabeth Gamber	11/25/ 2014

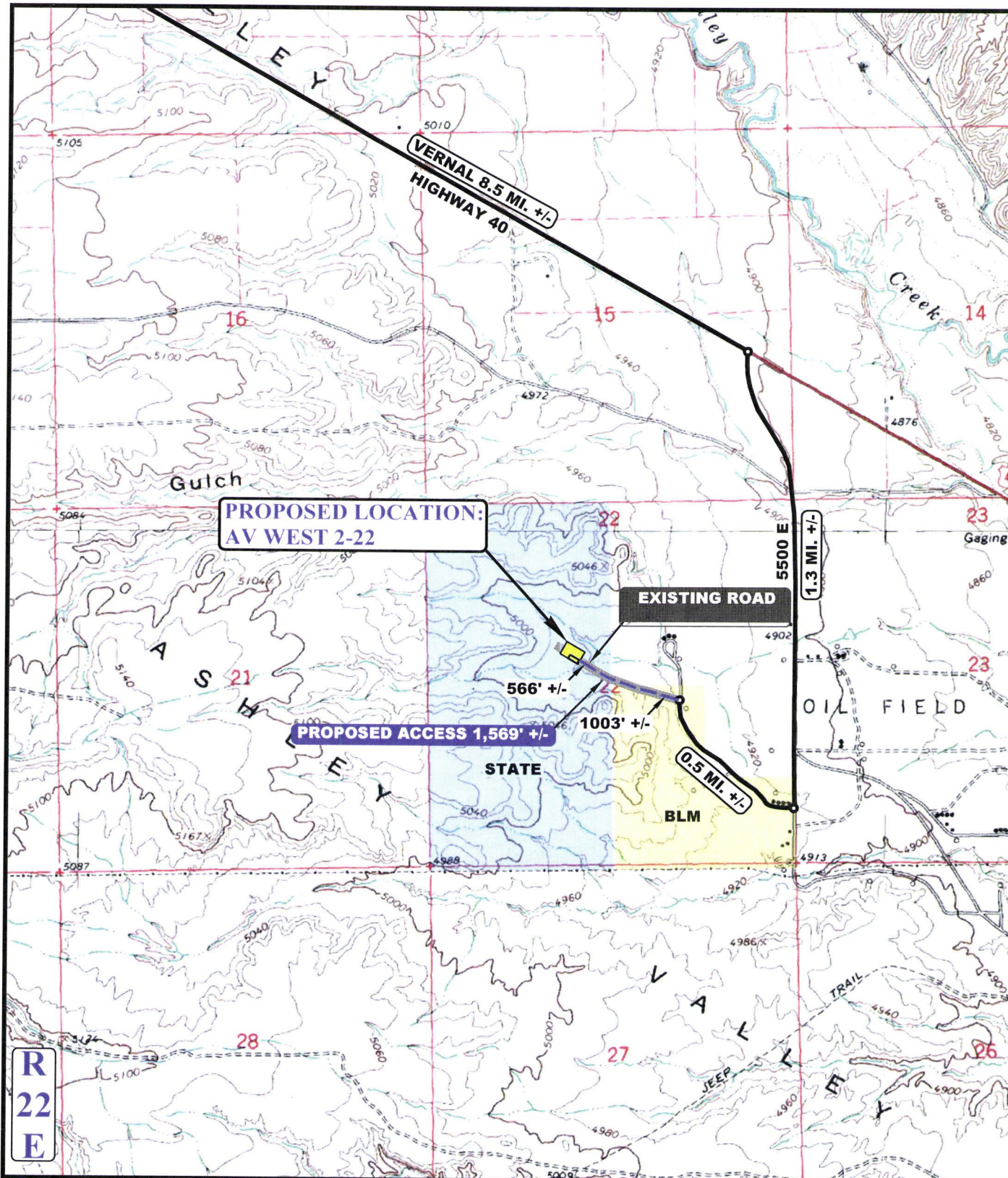
Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
NP	Plants: BLM Sensitive	No UT BLM Sensitive plant species have been documented in the Project Area or adjacent areas per VFO BLM data review. The potential for UT BLM Sensitive plant species to occur in the Project Area is low, per analysis of Project Area soils. No UT BLM Sensitive plant species are expected to be impacted directly or indirectly as a result of the Proposed Action.	Christine Cimiluca	12/1/2014
NP	Plants: Threatened, Endangered, Proposed, or Candidate	No Federally threatened, endangered, candidate, or proposed plant species have been documented in the Project Area or adjacent areas per VFO BLM data review. The potential for TECP plant species to occur in the Project Area is low, per analysis of Project Area soils. No TECP plant species are expected to be impacted directly or indirectly as a result of the Proposed Action.	Christine Cimiluca	12/1/2014
Wetland/ Riparian (NP)	Wetland/Riparian	No wetland or riparian areas exist within the current proposed project area as per GIS review and on the ground observations of the area.	James Hereford II	12/1/2014
NI	Recreation	There is little OHV use, hunting or other recreation activities associated within the project area therefore, recreation is not known to be an issue.	Bill Civish	11-24-2014
NI	Socio-Economics	No impact to the social or economic status of the county or nearby communities would occur from this project due to its small size in relation to ongoing development throughout the basin.	Cindy Bowen	11-24-2014
NI	Visual Resources	Proposed project is located within VRM Class IV per VFO GIS data base. The action would be allowed under class IV objectives.	Bill Civish	11-24-2014
NI	Wastes (hazardous/solid)	No chemicals subject to reporting under SARA Title III in amounts greater than 10,000 pounds would be used, produced, stored, transported, or disposed of annually in association with the project. Trash and other waste materials would be cleaned up and removed immediately after completion of operations.	Cindy Bowen	11-24-2014
NP	Water: Floodplains	No flood plain mapping in the proposed area as per the Green River District, Vernal Field Office GIS Database layers.	Cindy Bowen	11-24-2014
NI	Water: Groundwater Quality	No new disturbance will be required for this action. There will be no effect on groundwater.	Elizabeth Gamber	11/24/2014

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
NI	Water: Hydrologic Conditions (stormwater)	Hydrologic conditions do exist in the area. They are typically dry ephemeral washes within a typical clay loam environment. These soils are prone to erosion due to slow infiltration rates associated with high desert soils. The current proposed action will not affect the current hydrologic conditions to a degree that would require detailed analysis according to on the ground observations and the companies current proposal of no new disturbance.	James Hereford II	12/1/2014
NP	Water: Surface Water Quality	No perennial surface waters exist on the proposed project area as per GIS review and on the ground observations.	James Hereford II	12/1/2014
NP	Water: Waters of the U.S.	No waters of the U.S. exist on the proposed project area as per GIS review and on the ground observations.	James Hereford II	12/1/2014
NP	Wild Horses	No herd areas or herd management areas are present within the proposed project area as per the Green River District, Vernal Field Office GIS Database layers.	Cindy Bowen	11-24-2014
NI	Wildlife: Migratory Birds (including raptors)	It is not anticipated that the project area will create new ground disturbance as the road is an existing two-track. In review of district files and a field visit migratory birds may be found foraging near the area, but is not likely nesting habitat given the lack of vegetation. Most avian species would likely be found near the agricultural areas 1/4 mile to the east of the project area. The project area is not within a Bird Habitat Conservation Area. In addition, there are no known raptor nests within 1/2 mile of the project area. Negative impacts to migratory birds, including raptors, are not anticipated.	Brandon McDonald	11/23/14
NI	Wildlife: Non-USFWS Designated	It is not anticipated that the project area will create new ground disturbance as the road is an existing two-track. In review of district files the BLM has identified the surround areas as crucial habitat for deer fawning. However, after a field visit the project area is not of good value fawning habitat as the big game are likely to be found near or within the agricultural areas 1/4 mile to the east. Negative impacts to big game species, including raptors, are not anticipated.	Brandon McDonald	11/23/14

Determina- tion	Resource/Issue	Rationale for Determination	Signature	Date
NP	Wildlife: Threatened, Endangered, Proposed or Candidate	In review of district files and a field visit there are no threatened, endangered, proposed, or candidate animal species (including their associated habitats) within or near the project area. Is the proposed project in sage grouse PPH or PGH? No it is not.	Brandon McDonald	11/23/14
NP	Woodlands/Forestry	The proposed project is not within a woodlands/forestry area as per the Green River District, Vernal Field Office GIS Database layers.	Cindy Bowen	11-24-20 14

FINAL REVIEW:			
Reviewer Title	Signature	Date	Comments
Environmental Coordinator	/s/ Jessica Taylor	12/23/2014	
Authorized Officer	/s/ Jerry Kenczka	1/08/2015	

Appendix B. Exhibits



NOTE: PARCEL DATA SHOWN HAS BEEN OBTAINED FROM VARIOUS SOURCES AND SHOULD BE USED FOR MAPPING, GRAPHIC AND PURPOSES ONLY. NO WARRANTY IS MADE BY UINAH ENGINEERING AND LAND SURVEYING COMPANY, FOR THE ACCURACY OF THE PARCEL DATA SHOWN.

LEGEND:

— EXISTING ROAD
 --- PROPOSED ROAD

DRILLEX, LLC

AV WEST 2-22
 SECTION 22, T5S, R22E, S.L.B.&M.